

**DO NOT DOCKET THIS SURVEY FORM**

**MEDIATION SURVEY**

TO: Mediator  
Litigants  
Attorneys

We need your help to assist the court in compiling useful data to evaluate the effectiveness of the bankruptcy mediation program in this district. The information provided in this survey will be used solely for the purpose of evaluating this program. Please complete this form and return it within \_\_\_\_\_ days to:

United States Bankruptcy Court  
402 East State Street  
Trenton, NJ 08608  
Attention: Patricia L. Meravi, Mediation Program Administrator

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1. Identity of party completing this survey:

\_\_\_\_\_ mediator  
\_\_\_\_\_ attorney  
\_\_\_\_\_ litigant

2 Source of referral of mediation:

\_\_\_\_\_ motion/request of defendant  
\_\_\_\_\_ motion/request of plaintiff  
\_\_\_\_\_ consent request by both parties  
\_\_\_\_\_ bench referral  
\_\_\_\_\_ other (explain) \_\_\_\_\_

3. Manner of mediator selection:

\_\_\_\_\_ parties

\_\_\_\_\_ court

4. Date case assigned to mediator: \_\_\_\_\_

5. Name of mediator: \_\_\_\_\_

6. Date of initial mediation session: \_\_\_\_\_

Date of final mediation session: \_\_\_\_\_

Number of mediation sessions: \_\_\_\_\_

7. Number of hours spent on case by mediator: \_\_\_\_\_

Hourly rate: \$ \_\_\_\_\_. Amount of fees requested: \$ \_\_\_\_\_

Response optional:

8. Case Name: \_\_\_\_\_

9. Case No.: \_\_\_\_\_ Chapter: \_\_7\_\_ \_\_11\_\_ \_\_12\_\_ \_\_13\_\_

10. Adversary Name: \_\_\_\_\_

11. Adversary No.: \_\_\_\_\_

For response by mediator only:

12. Did parties submit an adequate Information Statement? **9** yes **9** no

Were the attorneys prepared for the mediation sessions? **9** yes **9** no

Were the parties prepared for the mediation sessions? **9** yes **9** no

13. At what stage in the case did the mediation session take place? (Check all that apply.)  
\_\_\_\_\_ before any discovery

- \_\_\_\_\_ during discovery
- \_\_\_\_\_ after discovery
- \_\_\_\_\_ after first trial date scheduled

14. Was the timing of referral to mediation appropriate?
- ☐ too early
  - ☐ appropriate time
  - ☐ too late
15. Outcome/nature of agreement:
- ☐ mediation held/full agreement on all issues
  - ☐ mediation held/some issues partially resolved
  - ☐ mediation held/no agreement
  - ☐ no mediation held/parties settled case before mediation session
  - ☐ no mediation held/party failed to attend
  - ☐ no mediation held/party attended but failed to participate
16. If the case did not settle in mediation, what were the reasons? (Check all that apply.)
- ☐ the proper parties with authority to settle were not present
  - ☐ one or both parties did not mediate in good faith
  - ☐ one or both parties too entrenched in their positions
  - ☐ issues were too complex
  - ☐ issues were too numerous
17. Relationship of the parties:
- ☐ formal business relationship (e.g. partnership, corporation, etc.)
  - ☐ performance of service contract
  - ☐ family
  - ☐ neighbor
  - ☐ friend
  - ☐ no ongoing relationship
  - ☐ other (explain) \_\_\_\_\_
18. What was the type of proceeding?
- ☐ non-dischargeability (specify basis: § 523(a) (\_\_\_\_))
  - ☐ objection to claim
  - ☐ preference
  - ☐ fraudulent transfer
  - ☐ turnover
  - ☐ administrative expense
  - ☐ valuation

\_\_\_\_\_ chapter 11 plan provisions  
\_\_\_\_\_ other (specify) \_\_\_\_\_

19. How much money was involved in the dispute?

- ☐ under \$5,000
- ☐ \$5,001 to \$10,000
- ☐ \$10,001 to \$50,000
- ☐ \$50,001 to \$100,000
- ☐ \$100,001 to \$500,000
- ☐ over \$500,001
- ☐ non-monetary issue (specify) \_\_\_\_\_  
\_\_\_\_\_

20. The plaintiff or movant was a[n]:

- ☐ trustee
- ☐ individual
- ☐ corporation
- ☐ partnership
- ☐ Internal Revenue Service
- ☐ other (specify) \_\_\_\_\_

21. The defendant or respondent was a[n]:

- ☐ trustee
- ☐ individual
- ☐ corporation
- ☐ partnership
- ☐ Internal Revenue Service
- ☐ other (specify) \_\_\_\_\_

22. Characteristics of cases you feel are amenable to resolution in mediation:

- ☐ relatively simple issues
- ☐ more complex issues
- ☐ ongoing relationship between parties
- ☐ parties entrenched in positions
- ☐ multiple parties
- ☐ other (specify) \_\_\_\_\_  
\_\_\_\_\_



23. Do you think that mediation:

- |                                                    |       |      |
|----------------------------------------------------|-------|------|
| ! generally preserves the legal rights of clients? | 9 yes | 9 no |
| ! generally results in equitable outcomes?         | 9 yes | 9 no |

For response by litigants and attorneys:

24. As to you or your client, do you think the mediator in this case:

- |                                                          |       |      |
|----------------------------------------------------------|-------|------|
| ! gave you a full opportunity to convey your interest?   | 9 yes | 9 no |
| ! was impartial?                                         | 9 yes | 9 no |
| ! was helpful in attempting to resolve this case?        | 9 yes | 9 no |
| ! understood the issues in this case?                    | 9 yes | 9 no |
| ! was knowledgeable about the law relative to this case? | 9 yes | 9 no |

25. Did you feel pressured to reach an agreement in mediation?

- \_\_\_\_\_ no
- \_\_\_\_\_ yes, by the mediator
- \_\_\_\_\_ yes, by the other side
- \_\_\_\_\_ yes, by time or money constraints

26. What impact did mediation have on this case?

- \_\_\_\_\_ settled the case
- \_\_\_\_\_ clarified positions
- \_\_\_\_\_ settled some of the issues
- \_\_\_\_\_ added unnecessary steps
- \_\_\_\_\_ moved the case significantly toward settlement
- \_\_\_\_\_ increased tension
- \_\_\_\_\_ other (specify) \_\_\_\_\_

27. Do you think mediation in this case saved money?	9 yes	9 no
Do you think mediation in this case saved time?	9 yes	9 no



Would you consider mediation for other matters?

9 yes

9 no

28. Please use this space to add any other comments about your experience in mediation. Include what you disliked about the mediation process; what you liked about it; how the mediation program can be improved, etc.

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(Name of party completing survey)

Date survey completed: